



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JAM/MEM/MG
F. #2017R00509

*271 Cadman Plaza East
Brooklyn, New York 11201*

December 20, 2023

By E-Mail and ECF

Mark DeMarco, Esq.
msdlaw@aol.com

Michael O. Hueston, Esq.
mhueston@nyc.rr.com

John A. Diaz, Esq.
johnadiazlaw@gmail.com

Susan G. Kellman, Esq.
sgk@kellmanesq.com

Ezra Spilke, Esq.
ezra@spikelaw.com

Jacqueline E. Cistaro, Esq.
jec@cistarolawfirm.com

Re: United States v. Karl Jordan, Jr., et al.
Criminal Docket No. 20-CR-305 (S-2) (LDH)

Dear Counsel:

Please find uploaded to USAfx the government's exhibits that it may use in its case-in-chief during the upcoming trial in the above-referenced case.¹ The government will update the enclosed preliminary exhibit list if, as, and when it learns of additional and/or substitute exhibits.

¹ Unless otherwise directed by the Court, the government expects to provide the exhibits, as well as 3500 material, to the Court on January 18, 2024—which is after the pretrial conference scheduled for January 17, 2024, but prior to the start of jury selection on January 22, 2024. See Individual Practice VII.C.

The exhibits have been marked “Sensitive” per the parties’ agreement, memorialized by email on December 14, 2023, to treat all exhibits as “Sensitive” under the Protective Order issued on September 17, 2020 (ECF No. 22).²

The government previously enclosed GX 901 – GX 909, which are proposed trial stipulations for your consideration. See ECF No. 193. As discussed, these proposed stipulations are designed to eliminate the need to call certain foundation and authentication witnesses at trial. The defense would preserve any substantive objection to the admission of the corresponding evidence.

The government requests reciprocal exhibits from the defendants that they expect to use during their cases-in-chief.

Very truly yours,

BREON PEACE
United States Attorney

By: /s/
Artie McConnell
Mark E. Misorek
Miranda Gonzalez
Assistant U.S. Attorneys
(718) 254-7000

cc: Clerk of the Court (LDH) (without enclosures)

² Per the Protective Order, where defense counsel wish to attach any portion of the Sensitive material to public filings made with the Court, defense counsel “must provide advance notice to the government and make application to the Court for authorization to make such disclosure, and such notice must be given sufficiently in advance of the contemplated application so as to permit briefing and argument on the propriety of such disclosure.” ECF No. 22 ¶ 6 (emphasis added). This requirement also applies when defense counsel wish to “disclose any portion of” the Sensitive material, or “information derived from” the Sensitive material, in public filings made with the Court. Id. ¶ 5.